

### **REMARKS**

Claims 1-7 remain pending. Applicant respectfully requests reconsideration of the pending rejection based on the following comments.

#### **Claim Rejections Under 35 U.S.C. § 102(e)**

Claims 1-7 were rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,389,454 to Ralston et al. ("Ralston"). In discussing the Ralston reference, Applicant is making no admission that this reference has a filing date that predates the present invention.

According to an embodiment of the present invention, a client/server/database system is created that may make the processing of client requests more efficient. The following is a list of steps that may be taken according to one example of the present invention:

1. Send a task request from a client to a server system that includes patient identification and resource identification.
2. Determine at the server system whether schedules associated with the patient identification and resource identification are stored in local memory to the server system.
  - 3a. If they are stored locally, then the server system can respond to the task request.
  - 3b. If they are not stored locally, then the server system can load the necessary data from the database into the local memory of the server system.

As stated in the previous response, in Ralston, all schedule information is retrieved from external facilities and databases when the client seeks to schedule a resource in one or more of those facilities. In response to Applicant's arguments, the current Office Action (see, e.g., page 4, para.6), points to the rescheduling process of Ralston as showing the following feature : "determining at the server system (i.e., server 80) whether schedules associated with the patient identification and resource identification are stored in local memory to the server system."

Applicant respectfully disagrees with this conclusion.

In Col. 5, lines 17-40, the server queries the remote schedule servers 38, 48, 58 for scheduling information after a request is made by a client 20. At Col. 5, lines 41-60, the remote schedule servers generate available times and at Col. 5, line 61 to Col. 6, line 27, these schedule servers communicate the available times back to the scheduling server (and on to the client 20); the client then selects an appointment and this information is returned back to the scheduling servers 38, 48, 58 and the appropriate facilities 35, 45, 55.

At Col. 6, line 28, Ralston begins his discussion of rescheduling. At lines 30-35, Ralston says the following, "A client 20 may connect to the scheduling server 80 via the method discussed above and once connected, may notify the scheduling server 80 of his appointment number, at which time the scheduling server 80 will locate the appointment information generated when the appointment was scheduled. Though the Examiner states that this is done via "local memory," there is nothing in the quoted text of Ralston that indicates the source of the appointment information. At Col. 6, lines 39-52, it is noted that in each and every case that an appointment is canceled or modified, the server contacts the appropriate facility and schedule servers. There is no suggestion that the server determines whether the patient schedule and

resource schedule are stored in local memory prior to loading it from the remote schedule servers.

At Col. 6, lines 52-65, Ralston also discusses walk-ins. In that situation, the facilities 35, 45, 55 access the appropriate remote schedule server 38, 48, 58. The information is relayed back to server 80. The Office Action states that this indicates “that scheduling information is indeed stored locally at server 80.” The cited text only says that it is sent to the server, not that it is stored there. Since, personnel and resources may be located a various, different places, all scheduling information for the walk-in appointment may not be stored in a single remote schedule server. Therefore, it would be necessary to communicate schedule change information, including scheduling a walk-in appointment, with all appropriate schedule servers. According to the disclosure of Ralston, this is done via the central scheduling server 80.

In view of the above, several features of the independent claims are missing from Ralston, including determining, at the server system, whether schedules associated with the patient identification and resource identification are stored in local memory to the server system, loading the schedule from at database into local memory if they are not available and determining available times for the resource schedule at the server system. Accordingly, reconsideration and withdrawal of the rejection of claims 1-7 under 35 U.S.C. § 102(e) is respectfully requested.

### CONCLUSION

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (202) 220-4255 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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Dated: 7/19/04

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